HIGH COURT OF UTTARANCHAL AT NAINITAL.

Writ petition no.48 (S/S) 2005

Mohammad Ayub S/o Mohammad Yaseen,
Resident of 80- Pathanprua, Civil Lines, Roorkee,
District Haridwar. ----Petitioner.

Versus

1. Director of Education,
   Uttaranchal, District Nainital,
2. Principal, District Education & Training Institute,
   Roorkee, Haridwar. ----Respondents.

Mr. Sharad Sharrma, learned Counsel for the petitioner,
Learned Standing Counsel for the respondents.

Hon'ble M.M. Ghildiyal, J.

Heard Sri Sharad Sharma, learned counsel for the petitioner and Sri Paresh Tripathi, learned Standing Counsel for the respondents.

The present writ petition has been filed by the petitioners for the following reliefs:-

a. Issue a writ, order or direction in the nature of mandamus commanding the respondents to declare the list of Special B.T.C. candidates as against 290 seats advertised without making any reduction,
b. Issue a writ order or direction in the nature of mandamus commanding the respondents to conclude the declaration of the result of the pooled reserved seats for the Special B.T.C. Course,
c. Issue any other writ, order or direction which this Hon'ble Court may deem fit and proper,
d. Award costs to the petitioner.

On 19th January 2005, this Court directed the petitioner to move representation before respondent no. 2 within one week from 19th January 2005 and the respondents were directed to

decide the representation of the petitioner by a speaking order within two weeks thereafter.

A bare perusal of the record, it appears that the result of the Special B.T.C. was declared long back as per the averments made by the petitioner itself in the writ petition. The petitioner was directed by the Court on 19th January 2005 to make representation of his grievances, if any, before the respondent no.2. Learned counsel for the petitioner has moved any representation before the authority concerned and in case he has moved the representation whether the respondents have passed any order in lieu thereof or not.

It appears that by efflux of time, the writ petition has become infructuous. However, as this Court has already passed order direction the petitioner to make representation for redressal of his grievances, if any, before the authority concerned, therefore the petitioner may avail this opportunity once again. Accordingly, the respondents after receipt of the representation within two weeks from today may pass order on the representation of the petitioner, if any received, within a period of four weeks from the date of receipt of the representation.

With these directions, the writ petition is finally disposed of. No order as to costs.

(M.M. Ghildiyal, J.)

August 10, 2006:

NCM: